

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JOLENE J. GARZA,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,

Defendant

Civil No. C07-963-RSM-JPD

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ordered that the Commissioner's final decision is reversed and remanded for further administrative proceedings, in accordance with sentence four of 42 U.S.C. § 405(g). Upon remand, the ALJ will conduct a de novo hearing. Pursuant to the ALJ's actions in the initial administrative hearing, Plaintiff's application of March 19, 2001, will be deemed reopened. The ALJ will make a new determination as to Petitioner's disability taking all evidence into account, paying particular attention to the nature and severity of Plaintiff's alleged mental impairment and the medical opinions relating thereto, and

1 issue a new decision. Upon proper application, Plaintiff is entitled to reasonable attorney's fees  
2 under the terms of the Equal Access to Justice Act, 28 U.S.C. § 2412 et seq

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4 DATED this 31<sup>st</sup> day of January, 2008.

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7 RICARDO S. MARTINEZ  
8 UNITED STATES DISTRICT JUDGE

9 Recommended for Entry this  
10 23rd day of January, 2008:

11 s/ JAMES P. DONOHUE  
12 United States Magistrate Judge

13  
14 Presented by:

15 s/ DAVID J. BURDETT  
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